

23. (Previously Twice Amended) The apparatus of claim 22, wherein the sheet is made from an alloy containing aluminum.

24. (Previously Twice Amended) The apparatus of claim 22, wherein the base is made out of manufactured diamond.

REMARKS

Applicant has reviewed and considered the Office Action mailed on December 14, 2000, and the references cited therewith.

Claims 1 and 22 are amended. Claims 4 and 10-21 were previously canceled. As a result, claims 1-3, 5-9, and 22-24 are now pending in this application. No new matter has been added by these amendments. Support for the amendments to claims 1 and 22 is found, for example, in applicant's specification at page 8, lines 19-28; page 9, lines 1-6; and Fig. 9. Applicant respectfully requests reconsideration in view of the amendments above and the remarks that follow.

Claim Rejections

Claims 1-2, 5-9, and 22-23 were rejected under 35 U.S.C. § 102(b) as being anticipated by Yeh (U.S. Patent No. 5,706,169), hereinafter "Yeh." Claim 3 was rejected under 35 U.S.C. § 103 as being unpatentable over Yeh in view of Bishop et al. (U.S. Patent No. 5,576,932), hereinafter "Bishop." Claim 24 was rejected under 35 U.S.C. § 103 as being unpatentable over Yeh. Applicant respectfully submits that the claims are patentable over Yeh and Bishop, alone or in combination, for the reasons argued below.

Claim 1 recites: "a trimmed opening that extends along a portion of the length of the top of the at least one fin, wherein the trimmed opening is formed by removing the arch along the portion of the length of the top of the at least one fin."

In contrast, Yeh describes “the flat apexes 304’ of the ridges 302 are provided respectively with a plurality of cooling holes 306 which are separated from one another by a predetermined interval.” *Yeh at column 3, lines 58-61 and Fig. 5.* Thus, Yeh does not teach or suggest an arch, as recited in claim 1. In fact, Yeh teaches away from an arch because Yeh describes a “flat apex” (emphasis added). Further, Yeh does not teach or suggest forming a trimmed opening by removing the arch, as recited in claim 1, because the Yeh cooling openings are merely formed in the top of the flat apex, as can be seen in Yeh Fig. 5, instead of the entire apex being removed. Thus, Yeh teaches away from claim 1.

Bishop describes “rectangular-shaped fins.” *Bishop at column 3, line 66 (emphasis added); Fig. 3.* Thus, Bishop teaches away from an arch, as recited in claim 1. Further, Bishop’s fins do not contain openings, as can also be seen in Fig. 3. Thus, Bishop also teaches away from claim 1.

Claim 22 contains similar elements as those argued above with respect to claim 1 and is patentable over Yeh and Bishop for similar reasons as those argued above. Claims 2-3, 5-9, and 23-24 are dependent on claims 1 and 22, respectively, and are patentable over Yeh and Bishop for the reasons argued above, plus the elements in the claims.

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Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 371-2103 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Box AF, Commissioner of Patents, Washington, D.C. 20231, on this 28th day of February, 2001.

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